UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,621	10/24/2003	Jukka Alve	4208-4143 (Nokia 28764)	7186

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EXAMINER
SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/691,621	ALVE, JUKKA
	Examiner	**Art Unit**	
	Cristina Owen Sherr	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 October 2003_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-51_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-51_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to the application filed October 24, 2003.

Claims 1-51 have been examined in this case.

Specification

2.   The lengthy specification has not been checked to the extent necessary to

determine the presence of all possible minor errors. Applicant's cooperation is

requested in correcting any errors of which applicant may become aware in the

specification.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wiser et al (US 6,385,596).

5.   Regarding claim 1 -

Wiser discloses a method of processing information in a communications device,

comprising: receiving from a first remote device content encrypted with a content key

(e.g. col 4 ln 32-35); transmitting a request for the content key to a second remote

device, the second remote device authorized to act on behalf of a provider of the

content (e.g. col 4 ln 12-14); receiving from the second remote device an encrypted

version of the content key, wherein the encrypted version of the content key is

encrypted with a public key of the communications device (e.g. col 4 ln 34-36); and

decrypting the encrypted version of the content key with a private key of the

communications device, the private key of the communications device corresponding to

the public key of the communications device. (e.g. col 4 ln 10-40).

6.   Wiser does not specifically use the same order of steps as in the instant

application. However, it would be obvious to one of ordinary skill in the art to merely re-

order the steps in order to obtain the instant application and for greater convenience or

economy.

7.   Regarding claims 2-6 -

Wiser discloses the method of claim 1, wherein step (b) comprises transmitting the

public key of the communications device to the second remote device; further

comprising: receiving from the first remote device the content key encrypted with a

public key of the second remote device; wherein step (b) comprises transmitting to the

second remote device the content key encrypted with the public key of the second

remote device; wherein step (b) further comprises transmitting to the second remote

device the public key of the communications device; further comprising receiving one or

more usage rules from the first remote device, wherein the usage rules correspond to

the content; transmitting the one or more usage rules to the second remote device;

receiving one or more modified usage rules from the second remote device; and

associating the one or more modified usage rules with the content (e.g. col 7 ln 25-40).

8.   Regarding claim 7 -

Wiser discloses a communications device, comprising:

a first communications interface adapted to receive from a first remote device content

, encrypted with a content key; a module adapted to decrypt an encrypted version of the

content key with a private key of the communications device (e.g. col 4 ln 32-35); and

a second communications interface adapted to (a) transmit a request for the content key

to a second remote device, the second remote device authorized to act on behalf of a

provider of the content(e.g. col 4 ln 12-14), and (b) receive from the second remote

device an encrypted version of the content key, wherein the encrypted version of the

content key is encrypted with a public key of the communications device, the public key

of the communications device corresponding to the private key of the communications

device (e.g. col 4 ln 10-40).

9.   Wiser does not specifically use the same order of steps as in the instant

application. However, it would be obvious to one of ordinary skill in the art to merely re-

order the steps in order to obtain the instant application and for greater convenience or

economy.

10.   Regarding claims 8-12 -

Wiser discloses the device of claim 7, wherein the request includes the public key of the

communications device; wherein the first communications interface is further adapted to

receive from the first remote device the content key encrypted with a public key of the

second remote device; wherein the request includes the content key encrypted with the

public key of the second remote device; wherein the request includes the public key of

the communications device; wherein the first communications interface is further

adapted to receive one or more usage rules from the first remote device, the usage

rules corresponding to the content; and wherein the second communications interface is further adapted to transmit the one or more usage rules to the second remote device; and to receive one or more modified usage rules from the second remote device (e.g. col 4 ln 13-41, col 6 ln 44-50, col 8 ln 40-65).

11.   Regarding claim 13 -

Wiser discloses a communications device, comprising: means for receiving from a first remote device content encrypted with a content key; means for transmitting a request for the content key to a second remote device, the second remote device authorized to act on behalf of a provider of the content; means for receiving from the second remote device an encrypted version of the content key, wherein the encrypted version of the content key is encrypted with a public key of the communications device; and means for decrypting the encrypted version of the content key with a private key of the communications device, the private key of the communications device corresponding to the public key of the communications device (e.g. col 4 ln 20-40).

12.   Wiser does not specifically use the same order of steps as in the instant application. However, it would be obvious to one of ordinary skill in the art to merely re-order the steps in order to obtain the instant application and for greater convenience or economy.

13.   Regarding claim 14 -

Wiser discloses a system, comprising: a communications device adapted to receive from a remote device a content item encrypted with a content key; and an authorized

agent authorized to act on behalf of a content distributor, the authorized agent adapted

to provide the content key to the communications device (e.g. col 4 ln 20-40).

14.   Wiser does not specifically use the same order of steps as in the instant

application. However, it would be obvious to one of ordinary skill in the art to merely re-

order the steps in order to obtain the instant application and for greater convenience or

economy.

15.   Regarding claims 15-21 -

Wiser discloses the system of claim 14, wherein the communications device is further

adapted to transmit a request for the content key to the authorized agent; wherein the

request includes a public key of the communications device; wherein the request

includes the content key encrypted with a public key of the authorized agent; wherein

the authorized agent is further adapted to provide to the communications device the

content key encrypted with a public key of the communications device; further

comprising the content distributor; further comprising the remote device; wherein the

remote device receives the content item from the content distributor; wherein the

communications device, the remote device, and the authorized agent communicate with

each other across one or more wireless communications networks (e.g. col col 8 ln 40-

50).

16.   Regarding claim 22 -

Wiser discloses a method of facilitating distribution of content among devices in an

authorized agent, comprising: (a) receiving authorization to act on behalf of a content

distributor; (b) receiving from a communications device a request for a content key, the

content key for decrypting a content item originally distributed by the content distributor;

(c) encrypting the content key with a public key of the communications device; and (d)

transmitting to the communications device the content key encrypted with the public key

of the communications device (ew.g col 4 ln 10-35).

17.   Wiser does not specifically use the same order of steps as in the instant

application. However, it would be obvious to one of ordinary skill in the art to merely re-

order the steps in order to obtain the instant application and for greater convenience or

economy.

18.   Regarding claims 23-25 -

Wiser discloses the method of claim 22, further comprising: (e) receiving the content

key encrypted with a public key of the authorized agent; wherein step (e) comprises

receiving the content key encrypted with the public key of the authorized agent from the

communications device; wherein step (e) comprises receiving the content key encrypted

with the public key of the authorized agent from the content distributor; wherein step (b)

comprises receiving the public key of the communications device; further comprising:

decrypting the content key encrypted with the public key of the authorized agent; and

encrypting the content key with the public key of the communications device; further

comprising: receiving one or more usage rules from the communications device, the

one or more usage rules corresponding to the content item; modifying the one or more

usage rules; and transmitting the one or more modified usage rules to the

communications device; wherein said modifying step is performed in accordance with

one or more modification limitations; wherein the one or more modification limitations

includes at least one of a temporal limitation, a content type limitation, and a specific content limitation; wherein the one or more modification limitations are imposed by the content distributor; wherein the one or more usage rules are encrypted with a public key of the authorized agent; wherein the one or more modified usage rules are encrypted with a public key of the communications device; wherein step (d) is performed when one or more content distribution conditions are satisfied; wherein the one or more content distribution conditions includes a payment from the communications device (e.g. col 4 ln 13-41, col 6 ln 44-50, col 8 ln 40-65).

19.   Regarding claim 36 -

Wiser discloses an authorized agent, comprising: a first communications interface adapted to receive authorization to act on behalf of the content distributor; a module adapted to encrypt a content key with a public key of the communications device, the content key for decrypting a content item originally distributed by the content distributor; and second communications interface adapted to receive from a communications device a request for the content key, and transmit to the communications device the content key encrypted with the public key of the communications device (e.g col 4 ln 10-35).

20.   Wiser does not specifically use the same order of steps as in the instant application. However, it would be obvious to one of ordinary skill in the art to merely re-order the steps in order to obtain the instant application and for greater convenience or economy.

21.   Regarding claims 37-48 -

Wiser discloses the authorized agent of claim 36, wherein the request includes the content key encrypted with a public key of the authorized agent; wherein the first communications interface is further adapted to receive the content key encrypted with a public key of the authorized agent from the content distributor; wherein the request further includes the public key of the communications device; further comprising a module adapted to decrypt the content key encrypted with the public key of the authorized agent; further comprising a rules module adapted to modify one or more usage rules received from the communications device; and wherein the second communications interface is further adapted to send the one or more modified rules to the communications device; wherein said rules module is further adapted to modify the one or more usage rules in accordance with one or more modification limitations; wherein the one or more modification limitations includes at least one of a temporal limitation, a content type limitation, and a specific content limitation; wherein the one or more modification limitations are imposed by the content distributor; wherein the one or more usage rules are encrypted with a public key of the authorized agent wherein the one or more modified usage rules are encrypted with a public key of the communications device; wherein said second communications interface is further adapted to transmit the content key encrypted with the public key of the communications device when one or more content distribution conditions are satisfied; wherein the one or more content distribution conditions includes a payment from the communications device (e.g. col 4 ln 13-41, col 6 ln 44-50, col 8 ln 40-65).

22.   Regarding claim 49 -

Wiser discloses a system, comprising: means for receiving authorization to act on

behalf of a content distributor; means for receiving from a communications device a

request for a content key, the content key for decrypting a content item originally

distributed by the content distributor; means for encrypting the content key with a public

key of the communications device; and means for transmitting to the communications

device the content key encrypted with the public key of the communications device (e.g.

col 4 ln 20-35).

23.   Wiser does not specifically use the same order of steps as in the instant

application. However, it would be obvious to one of ordinary skill in the art to merely re-

order the steps in order to obtain the instant application and for greater convenience or

economy.

24.   Regarding claim 50 -

Wiser discloses a system, comprising: a content distributor adapted to transmit a digital

television broadcast along with a public encryption key of an authorized agent, the

authorized agent authorized to act on 5 behalf of the content distributor; and a

communications device adapted to receive the digital television broadcast and the

public encryption key from the content distributor; wherein the communications device is

further adapted to encrypt the digital television broadcast with an internally generated

content key, and to encrypt the internally generated content key with the public key of

the authorized agent (e.g col 7 ln 30-45).

25.   Wiser does not specifically use the same order of steps as in the instant

application. However, it would be obvious to one of ordinary skill in the art to merely re-

order the steps in order to obtain the instant application and for greater convenience or economy.

26.   Regarding claim 51 -

Wiser discloses a communications device, comprising: a communications interface adapted to receive from a content distributor a digital television broadcast and a public encryption key of an authorized agent, the authorized agent authorized to act on behalf of the content distributor; and a security processing module adapted to encrypt the digital television broadcast with an internally generated content key, and to encrypt the internally generated content key with the public key of the authorized agent (e.g. col 4 ln 40-60).

27.   Wiser does not specifically use the same order of steps as in the instant application. However, it would be obvious to one of ordinary skill in the art to merely re-order the steps in order to obtain the instant application and for greater convenience or economy.

28.   Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

29.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

30.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

31.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cos

Primary Examiner

AU 3621